

**HYDE PARK TOWN BOARD
SPECIAL MEETING
MONDAY, MAY 24, 2021 AT 6:00 P.M.**

To watch the Town Board meeting live on YouTube, please go to this link:
<https://www.youtube.com/channel/UCcb5NmRUM9SwOAL0vwcayrQ/live>

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON RESOLUTIONS ONLY

NOTE: "TIME LIMIT OF 3 MINUTES ONLY"

May be submitted via e-mail to the Town Clerk at: dmcgrogan@hydeparkny.us

If you would like to participate remotely during the public comment portion of the hearing, please go to the following link to register:

<https://www.hydeparkny.us/DocumentCenter/View/2372/Remote-Public-Hearing-Procedures-PDF>

NOTE: There will be NO gathering at the Town of Hyde Park Town Hall for this meeting.

RESOLUTIONS:

1. ORDER REMOVAL OF STRUCTURES OWNED BY ADAM H. KRUKOWSKI AND THE LATE ALICE KRUKOWSKI PURSUANT TO §40-9 OF THE TOWN CODE

2. ACKNOWLEDGE RESIGNATION OF DAVID MCNARY FROM THE TOWN OF HYDE PARK CONSERVATION ADVISORY COUNCIL AND THE CLIMATE SMART COMMUNITIES TASK FORCE

3. ACKNOWLEDGE RESIGNATION OF HERBERT SWEET AS A MEMBER OF THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS

4. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO DESIGNATE DAVID MCNARY AS THE CHAIRMAN OF THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS FOR THE REMAINDER OF 2021
5. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE A PERMANENT EASEMENT AND MAINTENANCE AGREEMENT FOR STORMWATER DRAINAGE FOR THE NORRIE PARK ESTATES SUBDIVISION
6. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT AMONG THE COUNTY OF DUTCHESS, OTHER DUTCHESS COUNTY MUNICIPALITIES AND THE TOWN OF HYDE PARK CONCERNING THE TOWN'S PARTICIPATION IN THE DUTCHESS COUNTY DRUG ENFORCEMENT TASK FORCE
7. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE A TEMPORARY INCREASE IN THE NUMBER OF VEHICLES MAINTAINED BY THE TOWN OF HYDE PARK POLICE DEPARTMENT'S FLEET
8. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE NUNC PRO TUNC AN AMENDED LEASE AGREEMENT TO INCREASE THE TOWN'S CURRENT LEASE AGREEMENT WITH NEW YORK COMMUNICATIONS COMPANY, INC. (NYCOMCO) FOR ADDITIONAL RADIOS / EQUIPMENT FOR THE TOWN OF HYDE PARK POLICE FLEET
9. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO AMEND RESOLUTION 5:17 -11 OF 2021 AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FOR THE ATTORNEY TO THE TOWN OF HYDE PARK TO REFLECT A CHANGE IN THE AMOUNT OF ESCROW TO BE RELEASED

10. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO
CREATE AN ADDITIONAL HEAVY MOTOR
EQUIPMENT OPERATOR POSITION FOR THE
TOWN OF HYDE PARK HIGHWAY
DEPARTMENT AND APPOINT CHRIS
RUESSELER TO SAID POSITION
11. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD
TO WAIVE THE RESTRICTIONS OF
CONSUMPTION OF ALCOHOLIC BEVERAGES
ON PUBLIC PROPERTY IN THE TOWN OF HYDE
PARK ACCORDING TO CHAPTER 35 OF THE
TOWN CODE TO ALLOW FOR ALCOHOL
BEVERAGES TO BE CONSUMED AT THE TOWN
OF HYDE PARK HACKETT HILL PARK AS
REQUESTED BY DIANA DOMINGUEZ FOR
THEIR BIRTHDAY PARTY TO BE HELD ON
JUNE 26, 2021

NEW AND OLD BUSINESS

ADJOURN

***A MOTION MAY BE MADE TO ENTER EXECUTIVE SESSION**

***AGENDA SUBJECT TO CHANGE**

**RESOLUTION 5:24 – 7 OF 2021 WAS NOT
AVAILABLE AT TIME OF PUBLISHING**

RESOLUTION ORDERING REMOVAL OF STRUCTURES OWNED BY ADAM H. KRUKOWSKI AND THE LATE ALICE KRUKOWSKI PURSUANT TO §40-9 OF THE TOWN CODE

WHEREAS, Richard Longendyke, Deputy Building Inspector of the Town of Hyde Park, filed a report in writing with the Town Board, on or about March 10, 2021 containing his findings and recommendations concerning certain structures situated on the premises located at 563 N. Quaker Lane, Hyde Park New York, Tax Map No. 6266-19-654134 owned by Adam H. Krukowski and the late Alice Krukowski, in which said Deputy Building Inspector stated his opinion that the structures are unsafe and present a danger to the health, safety and welfare of the public and that the property owner should be ordered to repair and/or remove these structures in accordance with the requirements of §40-9 of the Town Code; and

WHEREAS, the Hyde Park Town Board, after reviewing said report, and after hearing the Zoning Enforcement Officer with regard thereto at a meeting of the Town Board held on May 3, 2021, and having duly deliberated upon the same and having determined that said report warrants the repair and/or removal of said structures in accordance with the requirements of §40-9 of the Town Code, Ordered

- (a) That notice be given to Adam H. Krukowski and the late Alice Krukowski, the reputed owner of the property and the structures which are located thereon at 563 N. Quaker Lane, in the Town of Hyde Park, in the form required by §40-9 of the Town Code;
- (b) That said notice be served on the said property owners, in the manner required by §40-9(E) of the Town Code;
- (c) That said notice ordered the repair or the demolition and removal of the said structures on the said property from the premises be commenced within thirty (30) days of service of said notice and to be completed within sixty (60) days thereafter;
- (d) That a public hearing be scheduled on May 3, 2021 at 6:05 p.m. at the Town of Hyde Park Town Hall, located 4383 Albany Post Road, Hyde Park, New York; and
- (e) That the Attorney to the Town and Deputy Building Inspector prepare said notices of said public hearing and arrange for service of the same, in accordance with the requirements of §40-9(E) of the Town Code; and
- (f) Directed the Town Clerk to file a copy of the Notice served as provided herein in the office of the Dutchess County Clerk and the Town Clerk; and

WHEREAS, the Town Board had received confirmation that the said notices were duly served on the said property owners as required by §40-9(E) of the Town Code; and

WHEREAS, the Town Board opened the public hearing on May 3, 2021 at 6:05 p.m. pursuant to said notice and closed the public hearing on said date.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, after hearing testimony at the said public hearing and after reviewing all of the documentation associated with said violation, determines that said premises are in such condition that it is accessible to, and an object of attraction to minors under the age of 18, as well as to vagrants and other trespassers and is or may become a place of rodent infestation, and presents a danger to the health, safety, morals, and general welfare of the public and is unfit for the purpose for which it may lawfully be used; and

BE IT FURTHER RESOLVED, that the employees or officers of the Town of Hyde Park and/or a private contractor retained by the Town, are hereby authorized to enter onto said property and to bring the property into compliance with the standards of §40-9 of the Town Code by removal and demolition of any such structures and/or buildings and structures on the said properties; and

BE IT FURTHER RESOLVED, that all expenses incurred by the Town in connection with the proceedings to demolish and remove the unsafe building and/or structures shall be assessed against the land on which such building is located and shall be levied and collected in the same manner as provided in Article 15 of the Town Law for the levy or collection of a special *ad valorem* levy; and

BE IT FURTHER RESOLVED, that a copy of this Order shall be served upon said property owner in the manner required by §40-9(E) of the Town Code and posted upon the premises and this Order shall be filed in the office of the Dutchess County Clerk and the Town Clerk.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 2 OF 2021

RESOLUTION ACKNOWLEDGING THE RESIGNATION OF DAVID MCNARY AS A MEMBER OF THE TOWN OF HYDE PARK CONSERVATION ADVISORY COUNCIL AND THE CLIMATE SMART COMMUNITIES TASK FORCE

BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby acknowledge the resignation of David McNary as a member of the Hyde Park Conservation Advisory Council and the Climate Smart Communities Task Force effective May 18, 2021; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Hyde Park wants to thank David McNary for his past service as a member of said council and committee.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 3 OF 2021

RESOLUTION ACKNOWLEDGING THE RESIGNATION OF HERBERT SWEET AS A MEMBER OF THE HYDE PARK ZONING BOARD OF APPEALS

BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Herbert Sweet as a member of the Town of Hyde Park Zoning Board of Appeals effective May 19, 2021; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Board wishes to thank Herbert Sweet for his many years of devoted service to the Town and especially as a member of the Town of Hyde Park Zoning Board of Appeals.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK:

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 4 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO DESIGNATE DAVID MCNARY AS THE CHAIRMAN OF THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS FOR THE REMAINDER OF 2021

WHEREAS, current Zoning Board of Appeals member and chairman submitted his resignation effective May 18, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby designate David McNary as the new Chairman of the Town of Hyde Park Zoning Board of Appeals for the remainder of 2021.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 5 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE A PERMANENT EASEMENT AND MAINTENANCE AGREEMENT FOR STORMWATER DRAINAGE FOR THE NORRIE PARK ESTATES SUBDIVISION

WHEREAS, RJA Holdings Inc. (“RJA”) is fee owner of a certain parcel of real property in the Town of Hyde Park, County of Dutchess, State of New York, known as 4 Enderkill Drive, Hyde Park, New York, Tax Grid No. 6066-02-951981, and shown as Lot 1 on Filed Map 12393 which was filed in the Office of the Dutchess County Clerk on June 4, 2012 (hereinafter described as the “Property”); and

WHEREAS, RJA previously granted to the Town of Hyde Park a Permanent Easement for Drainage Purposes, dated March 23, 2012, filed with the Dutchess County Clerk’s Office on July 10, 2012, as Document No. 02-2012-2991 (the “Original Easement”), wherein the Town was given a permanent easement and right-of-way over a portion of the Property for the purposes of construction and maintenance of laying, constructing, installing, operating, clearing, cleaning, maintaining, repairing, altering, expanding, replacing and inspecting a drainage system, including lines, pipes, culverts, catch basins, ditches and appurtenances, or a combination thereof, for the purpose of conveying, diverting, and discharging stormwater runoff in, on, over, under, across and through the permanent easement areas; and

WHEREAS, RJA has received resubdivision approval from the Town of Hyde Park Planning Board to amend Lot 1, as shown on the plat entitled, “Norrie Park Estates, Revision to FM 12392” prepared by Day & Stokosa Engineering P.C., dated March 24, 2021, last revised April 20, 2021 (the “Subdivision Plat”), which will be filed in the Dutchess County Clerk’s Office simultaneously with the filing of the Easement Agreement, and which modifies the location of the drainage easement to the Town; and

WHEREAS, RJA has prepared a Permanent Easement and Maintenance Agreement for Stormwater Drainage, which, in relevant part, terminates the original easement and substitutes a new easement, as approved by the Planning Board by Resolution No. 2021-17 dated May 5, 2021; and

WHEREAS, the proposed Agreement has been reviewed by the Town Engineer and the Attorney to the Town and has been determined to be acceptable in form and content.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute the Permanent Easement and Maintenance Agreement for Stormwater Drainage and any other document that may be required to facilitate the filing of the same in the Dutchess County Clerk's Office in the same, or substantially similar, form as submitted to the Town Board.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 6 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT AMONG THE COUNTY OF DUTCHESS, CITY OF BEACON, CITY OF POUGHKEEPSIE TOWN OF POUGHKEEPSIE, TOWN OF EAST FISHKILL AND TOWN OF HYDE PARK CONCERNING THE TOWN'S PARTICIPATION IN THE DUTCHESS COUNTY DRUG ENFORCEMENT TASK FORCE

WHEREAS, Dutchess County has implemented a Municipal Consolidation and Shared Services Grant Program through the Department of Planning and Development; and

WHEREAS, an application has been made to the Municipal Consolidation and Shared Services Grant Program, which has been approved by the County, concerning the continuation of the existence of the Drug Enforcement Task Force which was organized under the direction of the District Attorney; and

WHEREAS, the Town of Hyde Park is currently participating in this program and desires to extend the Town's participation in said program; and

WHEREAS, the County of Dutchess has supplied an Agreement which provides that the term of said Agreement shall be effective January 1, 2021 and terminate on December 31, 2021; and

WHEREAS, the terms of the Agreement have been reviewed by the Town's Comptroller, the Hyde Park Chief of Police, and the Attorney to the Town and have been found to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to execute the Agreement which provides for the Town's participation in the Dutchess County Drug Enforcement Task Force according to the terms and conditions as set forth in the Agreement.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 5:24 – 8 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE NUNC PRO TUNC AN ADDITIONAL LEASE AGREEMENT TO INCREASE THE TOWN’S CURRENT LEASE AGREEMENT WITH NEW YORK COMMUNICATIONS COMPANY, INC. (NYCOMCO) FOR ADDITIONAL RADIOS/EQUIPMENT FOR THE TOWN OF HYDE PARK POLICE FLEET

WHEREAS, the Hyde Park Police Department was authorized by Resolution 1:25 – 20 of 2021 to purchase a new vehicle for their police fleet; and

WHEREAS, this new vehicle will need to be equipped with new radios/equipment; and

WHEREAS, this additional lease will also include an additional portable radio for dispatch; and

WHEREAS, the Police Chief has received a quote from New York Communications Company, Inc. (NYCOMCO) for an additional lease agreement to increase the Town’s current radio/equipment lease agreement to include these new radios/equipment for \$142 a month; and

WHEREAS, the need for these radios/equipment has been deemed necessary and approved by the Town Supervisor and Town Comptroller; and

WHEREAS, this additional lease agreement needed to be executed before the next available Town Board Meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to execute Nunc Pro Tunc an additional lease agreement to increase the Town’s current lease agreement with New York Communications Company, Inc. (NYCOMCO) for additional radios/equipment for the Town of Hyde Park Police Fleet not to exceed \$142 a month.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 9 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO AMEND RESOLUTION 5:17 - 11 OF 2021 AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FOR THE ATTORNEY TO THE TOWN OF HYDE PARK TO REFLECT A CHANGE IN THE AMOUNT OF ESCROW TO BE RELEASED

WHEREAS, Resolution 5:17 – 11 of 2021 authorized the release of the balance of escrow for the Attorney to the Town of Hyde Park for the Athanas West Solar Project; and

WHEREAS, it was stated in this resolution that the amount to be released back to the applicant would be \$548.50; and

WHEREAS, the amount listed to be released should in fact have been \$4,000.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby amend Resolution 5:17 -11 of 2021 to reflect a change in the balance of escrow listed to be released from \$548.50 to \$4,000; and

BE IT FURTHER RESOLVED, that the Town Board, Town Comptroller, and all other personnel of the Town of Hyde Park who are in charge of the administration of this escrow account are hereby authorized to acknowledge as stated, the change in the amount of escrow to be released in regard to said project.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 10 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO CREATE AN ADDITIONAL HEAVY MOTOR EQUIPMENT OPERATOR POSITION FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT AND APPOINT CHRIS RUESSELER TO SAID POSITION

WHEREAS, the recently negotiated CSEA Highway Unit Collective Bargaining Agreement for the Town of Hyde Park Highway Unit stipulated that effective May 1st, 2021 the Town must take a current Mechanical Equipment Operator position and make said position an additional Heavy Motor Equipment Operator position; and

WHEREAS, the Town of Hyde Park Highway Superintendent would like to appoint Chris Ruesseler to this newly created additional HMEO position.

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby create the additional position of Heavy Motor Equipment Operator for the Town of Hyde Park Highway Department as of May 1, 2021 according to the stipulations in the 2021 CSEA Highway Unit Collective Bargaining Agreement; and

BE IT FURTHER RESOLVED, that the Town Board does also hereby appoint Chris Ruesseler to said position effective May 1, 2021 and authorizes his hourly rate of \$31.30 which is to be paid retroactive to May 1, 2021 as established by the 2021 CSEA Highway Unit Collective Bargaining Agreement; and

BE IT FURTHER RESOLVED, that said appointment is subject to a probationary period as set forth in the Civil Service Law of the State of New York and shall be subject to all Civil Service Law Rules and Regulations; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Board does also hereby authorize the Town Supervisor to execute any and all documents required by the Dutchess County Department of Human Resources to create said position to effectuate this appointment.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 5:24 – 11 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO WAIVE THE RESTRICTIONS OF CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY IN THE TOWN OF HYDE PARK ACCORDING TO CHAPTER 35 OF THE TOWN CODE TO ALLOW FOR ALCOHOL BEVERAGES TO BE CONSUMED AT THE TOWN OF HYDE PARK HACKETT HILL PARK AS REQUESTED BY DIANA DOMINGUEZ FOR THEIR BIRTHDAY PARTY TO BE HELD ON JUNE 26, 2021

WHEREAS, Diana Dominguez has requested that the Town Board waive the provisions of Chapter 35, Article 1, entitled “Public Consumption” of the Code of the Town of Hyde Park for their birthday party to be held at Hackett Hill Park on June 26, 2021; and

WHEREAS, Section 35-4 of the Code of the Town of Hyde Park provides that the provisions of Chapter 35, Article 1 shall not apply in the event of a fair, picnic, or other community gathering for which special permission has been granted by the Town Board.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby waive the provisions of Chapter 35, Article 1 of the Code of the Town of Hyde Park restricting the consumption of alcoholic beverages on public grounds within the Town of Hyde Park and grants special permission to Diana Dominguez to allow for alcoholic beverages to be consumed at their birthday party at Hackett Hill Park on June 26, 2021.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK:

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____